REMARKS

Claims 1-65 are presented for examination. Claims 1, 32-34, 45, 56-58, 61 and 62 are independent. Claims 34-44 have been amended. No new matter is presented. Reconsideration and further examination are respectfully requested.

Claims 1-12, 18, 24, and 58-64 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,831,606 (Nakajima) in view of U.S. Patent No. 5,625,783 (Ezekiel); Claims 13-17, 19-23, 34-55, and 65 were rejected under 35 U.S.C. §103(a) as being obvious over Nakajima and Ezekiel in view of U.S. Patent No. 6,061,695 (Slivka); Claims 25-33, 56-57 were rejected under 35 U.S.C. §103(a) as being obvious over Nakajima, Ezekiel and Slivka and in further view of U.S. Patent Publication No. 2004/0061720 (Weber). Reconsideration and withdrawal of the rejections are respectfully requested for at least the following reasons.

Claim 1 recites a method comprising modifying an existing context menu in existing software via a client-side software module comprising additional menu information, the client-side software module executing on a computer; detecting an event that calls for display of the existing context menu by the existing software; after detecting the event and in response to the event, modifying the existing context menu based on the additional menu information; and subsequently displaying, by the computer, the modified context menu, such that the existing context menu is not displayed in response to said event, and the modified context menu is different from the existing context menu, the modified context menu comprising an additional menu item as part of the context menu, the additional menu item being positioned within the modified context menu in accordance with the additional menu information and not in accordance with the existing software.

By way of non-limiting example, in an embodiment, subject matter is directed to a system for controlling a context menu, used with a Web page, wherein the Web page is divided into regions. The control of the context menu comprises downloading additional menu items that are not part of the context menu prior to download, and monitoring for when a user calls for a context menu. Upon detecting a context menu call, the region of the Web page selected by a user is determined, and at least one of the additional menu items is made available to the user as part of the context menu interface.

At least one of the additional menu items is chosen based on the region selected by the user.

Nakajima discloses an operating system that provides extensions through which application developers may extend the capabilities of a shell of the operating system. For example, application developers may add menu items to context menus for objects that are visible within an integrated system name space.

Applicant submits that Nakajima does not disclose modifying an existing context menu in existing software via a client-side software module. The Office Action states that Nakajima discloses this feature at col. 5, lines 25-35, Figs. 4-5, and col. 6, lines 1-11.

Col. 5, lines 25-35 of Nakajima discloses shell extension DLLs being called when needed to extend the functionality of a shell as required by an application. Figs. 4-5 show flowcharts describing the processes to add verbs to a context menu. Col. 6, lines 1-11 describe shell extensions extending the functionality provided by an operating system to aid developers. None of these passages and figures of Nakajima, however, disclose modifying an existing context menu in existing software <u>via a client-side software module</u>. Nakajima merely discloses allowing developers to customize context menus for objects in application programs being developed by specifying customized verbs. (See, e.g., col. 6, lines 37-39). Nakajima does not disclose a <u>client-side software module</u> that is used to modify an existing context menu in existing software.

Even if the Examiner believes that Nakajima discloses a client-side software module is used to modify an existing context menu in existing software (a point not conceded), Nakajima does not disclose detecting an event that calls for display of the <u>existing</u> context menu by the <u>existing</u> software and then <u>subsequently</u> displaying, after detecting the event and in response to the event, by the computer, the modified context menu, such that the existing context menu is not displayed in response to the event, as claimed in independent claim 1.

The Office Action states that Nakajima discloses these features at col. 7, lines 5-10, col. 8, lines 10-20, and col. 7, lines 1-15 and 47-57. These passages of Nakajima disclose, in part, the process of adding verbs to a context menu. These passages of Nakajima do not, however, disclose detecting an event <u>that calls for display of an existing</u>

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context menu and then (after detecting the event and in response to the event) displaying

a modified context menu, <u>such that the existing context menu is not displayed in response</u>

<u>to the event</u> (which called for display of the existing context menu).

Furthermore, Nakajima discloses, in col. 2, lines 32-44, in part (emphasis added):

> [A] data processing system includes a memory means, a video display and
> a processing means. The memory means holds an object and an operating
> system that includes a shell. The memory means also holds a <u>registry for</u>
> <u>holding registration information. The registry holds at least one shell</u>
> <u>extension handler for extending capabilities of the shell of the operating</u>
> <u>system.</u>

Nakajima also discloses, in col. 6, line 37 - col. 7, line 5, in part (emphasis

added):

> The preferred embodiment allows a developer to customize context menus
> for objects by specifying customized static verbs and dynamic verbs. ...
> Static verbs are those verbs that are registered under the "shell" key ...
> <u>within the registry 28</u>.
> ...
> FIG. 3 is a flowchart of the steps that are performed to add static verbs to
> context menus of an object in the preferred embodiment of the present
> invention. First, any predefined verbs (i.e., those that the shell supports)
> and additional verbs provided by a developer <u>are registered within the</u>
> <u>registry 28</u> (steps 36 and 38 in FIG. 3). The operating system 26 provides
> functions that may be called to add entries within the registry 28. In the
> preferred embodiment described herein, <u>these functions are utilized by</u>
> <u>developers to create entries in the registry 28</u> like those shown in lines 4-
> 11 of the above example. <u>These verbs are registered in the shell section of</u>
> <u>the registry and are added to context menus of the specified object type</u>
> (e.g., word processing documents). The registration of the verb specifies
> their menu item strings. <u>Once the verbs are registered and the context</u>
> <u>menu has been activated, menu item strings associated with the verbs are</u>
> <u>displayed in the context menu</u> (step 40).

These passages and figures of Nakajima do not, however, describe an additional

menu item being positioned within the modified context menu in accordance with

additional menu information and not in accordance with existing software, as claimed in

independent claim 1.

Applicant submits that Nakajima does not teach, or contemplate, positioning an

additional menu item within the modified context menu in accordance with additional

menu information and not in accordance with existing software. The Office Action states

that Nakajima discloses this feature at col. 7, lines 15-57 and figures 4-5. Applicant respectfully disagrees. Col. 7, lines 15-57 of Nakajima merely describes a context menu handler and adding verbs to a context menu.

Ezekiel teaches displaying menu items in an application menu bar. Ezekiel specifically states additional menu items are provided to the application program without having to modify the application's menu bar upon user input (Abstract of Ezekiel).

Therefore, Nakajima and Ezekiel, taken alone or in combination, do not disclose displaying the modified context menu, such that the existing context menu is not displayed in response to said event, and the modified context menu is different from the existing context menu, the modified context menu comprising an additional menu item as part of the context menu, the additional menu item being positioned within the modified context menu in accordance with the additional menu information and not in accordance with the existing software, as claimed.

Claims 13-17, 19-23, 35-44, 46-55, and 65 were rejected under 35 U.S.C. §103(a) as being obvious over Nakajima and Ezekiel in view of Slivka. Applicant submits that Slivka does not cure the deficiencies of Nakajima and Ezekiel. Slivka discloses an operating system shell which provides a graphical user interface having a windowing environment with a desktop. The shell synthesizes a hypertext page for display as the desktop in the graphical user interface. The hypertext page has an embedded software object which provides graphical icon-oriented and menu-driven user interface elements for activating operating system services in the displayed hypertext page. The shell also provides windowed hypertext pages for managing file system folders. Slivka does not, however, disclose the features of claim 1 missing from Nakajima and Ezekiel as described above.

Thus, it is respectfully submitted that the features described above with respect to Claims 1, 32-34, 45, 56-58, 61, from which Claims 13-17, 19-23, 35-44, 46-55, and 65 depend, respectively, are applicable to these claims as well, and that Slivka does not remedy these deficiencies. Therefore, Applicant submits that a combination of Nakajima, Ezekiel and Slivka would not yield all of the elements in the presently cited claims, and therefore the combination cannot form the basis of a proper obviousness rejection.

Claims 25-31 were rejected under 35 U.S.C. §103(a) as being obvious over Nakajima, Ezekiel and Slivka and in further view of Weber. Applicant submits that Weber does not cure the deficiencies of Nakajima and Ezekiel either. Weber discloses a method and system for improving individual online usage through a multi-function Internet toolbar, and a system for an institutional online administration control allowing management of the toolbar interface for a group or a community of users utilizing the toolbar. Weber does not, however, disclose the features of claim 1 missing from the applied references as described above.

Thus, it is respectfully submitted that the features described above with respect to Claims 1, 32-34, 45, 56-58, 61, from which Claims 25-31 depend, respectively, are applicable to these claims as well, and that Weber does not remedy these deficiencies. Therefore, Applicant submits that a combination of Nakajima, Ezekiel, Slivka and Weber would not yield all of the elements in the presently cited claims, and therefore the combination cannot form the basis of a proper obviousness rejection.

For at least the foregoing reasons, Claim 1 and the claims that depend from claim 1 are believed to be in condition for allowance. In addition, for at least the same reasons stated above with respect to claim 1, independent Claims 32-34, 45, 56, 57, 61 and 62 are believed to be in condition for allowance, and accordingly, the claims that depend from Claims 32-34, 45, 56, 57, 61 and 62 are also believed to be in condition for allowance.
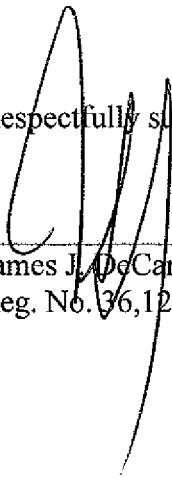
Having responded to all objections and rejections set forth in the outstanding Office Action, it is submitted that the currently pending claims are in condition for allowance and Notice to that effect is respectfully solicited. Additional characteristics or arguments may exist that distinguish the claims over the prior art cited by the Examiner, and Applicants respectfully preserve their right to present these in the future, should they be necessary. In the event that the Examiner is of the opinion that a brief telephone or personal interview will facilitate allowance of one or more of the above claims, he is respectfully requested to contact Applicants' undersigned representative.

The Applicants' attorney may be reached by telephone at 212-801-6729. All correspondence should continue to be directed to the address given below, which is the address associated with Customer Number 76058.

The Commissioner is hereby authorized to charge any required fee in connection with the submission of this paper, any additional fees which may be required, now or in the future, or credit any overpayment to Account No. 50-1561. Please ensure that the Attorney Docket Number is referenced when charging any payments or credits for this case.

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Respectfully submitted,

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